

OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

JOHN J. JARBOE,)	ED102230
)	
Petitioner/Respondent,)	Appeal from the Circuit Court
)	of St. Louis County
v.)	
)	
DIRECTOR OF REVENUE,)	Honorable Thomas J. Prebil
)	
Respondent/Appellant.)	Filed: September 1, 2015

The Director of Revenue (Director) appeals from the trial court's judgment reversing the Director's administrative revocation and reinstating the driving privileges of John J. Jarboe (Respondent).

REVERSED and REMANDED.

Division Four Holds: The trial court erred as a matter of law in reinstating Respondent's driving privileges because the court misapplied the law in deeming witness statements contained in Officer Richard Frauenfelder's report inadmissible hearsay for the purpose of determining whether, given the facts and circumstances known to him at the time, including witness statements, Officer Frauenfelder had reasonable grounds to believe that Respondent was driving while intoxicated under Section 577.041 RSMo.¹

Opinion by: Sherri B. Sullivan, P.J. Patricia L. Cohen, J., and Kurt S. Odenwald, J.,
concur.

Attorneys for Appellant: Rachel Jones
Attorney for Respondent: William Goldstein

<p>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</p>

¹ RSMo Supp. 2010.